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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,053	02/08/2001	Kirk D. Haller	6175-16	7556
27383	7590	02/12/2004	EXAMINER	
CLIFFORD CHANCE US LLP 200 PARK AVENUE NEW YORK, NY 10166			PHAN, THAI Q	
			ART UNIT	PAPER NUMBER
			2128	8
DATE MAILED: 02/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/781,053

Applicant(s)

HALLER ET AL.

Examiner

Thai Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05/21/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to patent application S/N: 09/781,053. Claims 1-29 are now pending.

Drawings

The informal drawings have been submitted and are acceptable for examination.

Information Disclosure Statement

The information disclosure statement filed 06/14/2001 has been considered and placed in the record.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1- 29 are rejected under 35 U.S.C. 102(a) as being anticipated by Bentley et al., US patent no. 6,063,128.

As per claim 1, Bentley anticipates a method and system for designing and modeling objects in computer aided system with feature limitation identical to the claimed invention (Summary of the Invention). According to Bentley, the computer aided design method includes steps

Constructing a feature of a three dimensional model based on data input by a user (col. 40, line 30 to col. 48, line 64), and

Automatically identifying an object or a part configured to compatibly couple with the feature, the part being identified based on design attribute of the object feature (col. 48 to col. 50, line 65).

As per claim 2, Bentley discloses step of automatically positioning the identified part in a coupling relationship with the feature (cols. 46-48).

As per claim 3, Bentley discloses part model library in the framework (14) (Figs. 1, 18-24, col. 4, lines 43-65).

As per claims 4 and 5, Bentley discloses means for changing or adjusting part geometry to fit to other parts as claimed.

As per claim 6, Bentley discloses part features in engineering design which would inherently part geometrical shape, and packaging part in order to assembly part/subparts (col. 49, lines 25-37, lines 49-64, also see cols. 50-51 for various design scenarios in part assembly) or fastening part to complete the design model as claimed. This part fastening is well known in the art in order to render final assembly

As per claim 7, Bentley anticipates a method and system for designing and modeling objects in computer aided system with feature limitation identical to the claimed invention (Summary of the Invention). According to Bentley, the computer aided design method includes steps

Constructing a feature of a three dimensional model based on data input or receive from a user (col. 40, line 30 to col. 48, line 64), and

Automatically identifying an object or a part configured to compatibly couple with the feature, the part being identified based on design attribute of the object feature (col. 48 to col. 50, line 65).

As per claim 8, Bentley discloses step of automatically positioning the selected part in package relationship or coupling as claimed.

As per claims 9, 10, and 11, Bentley discloses parts or components geometry and part library to support for user design.

As per claim 12, Bentley anticipates a method and system for designing and modeling objects in computer aided system with feature limitation identical to the claimed invention (Summary of the Invention). According to Bentley, the computer aided design method includes steps

Constructing a feature of a three dimensional model based on data input by a user (col. 40, line 30 to col. 48, line 64),

Querying a component model repository to retrieve a component model based on compatible between part attributes and design feature (col. 43, lines 30-43, cols. 46-49), and

Automatically identifying an object or a part configured to compatibly couple with the feature, the part being identified based on design attribute of the object feature (col. 48 to col. 50, line 65).

As per claim 13, Bentley discloses configuration data with an instance of the model and modifiable attribute of the model as claimed (col. 48, lines 1-16, col. 49, lines 25-36, for exemplary).

As per claims 14-22, Bentley discloses the claimed features in CMS (Figs. 1, 3, 4, and 8, cols. 46-49) in order to provide user with tools to design a project model.

As per claim 23, Bentley anticipates a method and system for designing and modeling objects in computer aided system with feature limitation identical to the claimed invention (Summary of the Invention). According to Bentley, the computerized system includes computer program product or codes to perform steps

Constructing a feature of a three dimensional model based on data input by a user (col. 40, line 30 to col. 48, line 64), and

Automatically identifying an object or a part configured to compatibly couple with the feature, the part being identified based on design attribute of the object feature (col. 48 to col. 50, line 65).

As per claim 24, Bentley discloses part packages to assembly parts and subcomponents (col. 49, lines 1-37) would inherently imply a fastener part model as claimed to create or model a persistent model. This part fastening feature is well known in the computer aided design and manufacturing art in order to submit design model for assembly.

As per claim 25, Bentley anticipates a method and system for designing and modeling objects in computer aided system with feature limitation identical to the claimed invention (Summary of the Invention). According to Bentley, the computer aided design system includes means for performing steps

Constructing a feature of a three dimensional model based on data input by a user (col. 40, line 30 to col. 48, line 64),

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Querrying a component model repository to retrieve a component model based on compatible between part attributes and design feature (col. 43, lines 30-43, cols. 46-49), and

Automatically identifying an object or a part configured to compatibly couple with the feature, the part being identified based on design attribute of the object feature (col. 48 to col. 50, line 65).

As per claim 26, Bentley discloses means to automatically positioning part or subpart into the model with design feature as claimed.

As per claims 27-29, Bentley discloses the claimed limitations in the CMS (Figs. 1, 3, 4, 8, 16-19, cols. 46-49) to design a model in computer aided design.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US patent application publication no. US 2002/0046294 A1
2. US patent application publication no. US 2002/0109704 A1
3. US patent application publication no. US 2002/0156792 A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thai Phan whose telephone number is 703-305-3812.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Phan
Feb. 04, 2004

Thai Phan
Patent Examiner
Thai Phan
AU: 2128